

SESSION LAWS.

The Seventh Session of the Legislative Assembly of the Territory of Minnesota was convened in pursuance of law, Wednesday, the second day of January, 1856, and adjourned on Saturday, the first day of March, 1856

WILLIS A. GORMAN, *Governor.*

JOHN B. BRISBIN,
President of the Council.

CHARLES GARDNER,
Speaker of the House of Representatives.

CHAPTER I.

An Act to amend Chapter thirty-six of the Revised Statutes, and Chapter twenty-two of the laws of 1853.

SECTION 1. Manner of Incorporating Episcopal Societies, and powers and duties of Officers.

SECTION 2. Providing certain articles of confederation for societies.

Be it enacted by the Legislative Assembly of the Territory of Minnesota :

SECTION 1. That Chapter 36 of the Revised Statutes is hereby amended by adding the following new sections :

SEC. 24—It shall be lawful for the male persons of full age, of any Church or Congregation in communion with the Protestant Episcopal Church in this Territory, who shall have belonged to such Church or Congregation for the last twelve months preceeding such election, and who shall have been baptized in the Episcopal Church, or shall have been received therein, either by the rite of confirmation, or by receiving the Holy Communion, or by purchasing or hiring a pew in said Church, or by some joint act of the parties and of the Rector, whereby they shall have attached themselves to the Protestant Episcopal Church, and not already incorporated, at any time to meet for the purpose of incorporating themselves under this Act, and by a majority of voices, to elect two Church Wardens, and not less than four nor more than eight Vestrymen, and to determine on what day of the week, called Easter week, the said offices of Church Wardens and Vestrymen, shall annually thereafter cease, and their successors in of-

Protestant Episcopal Churches ; how incorporated ;— Annual Election of church wardens and vestrymen.

fice be chosen ; of which first election notice shall be given in the time of morning service, on two Sundays previous thereto, by the Rector, or if there be none, by any other person belonging to such Church or Congregation, and that said Rector, or if there be none, or he be necessarily absent, then one of the Church Wardens or Vestrymen, or any other person called to the chair, shall preside at such election, and, together with two other persons, shall make certificate under their hands and seals, of the Church Wardens and Vestrymen so elected, of the day of Easter week so fixed on for the annual election of their successors, and of the name or title by which such Church or Congregation shall be known in law ; which certificate being duly acknowledged, or proved by one or more of the subscribing witnesses, before one of the Judges of the Supreme Court, or one of the Judges of the Court of Common Pleas of the county where such Church or place of worship of such Congregation shall be situated, shall be recorded by the Clerk of such county in a book to be by him provided for that purpose, and that the Church Wardens and Vestrymen so elected, and their successors in office, of themselves, but if there be a Rector, then together with the Rector of such Church or Congregation, shall form a Vestry and be the Trustees of such Church or Congregation ; and such Trustees and their successors shall thereupon, by virtue of this Act, be a body corporate by the name and title expressed in such certificate ; with all the rights, powers and privileges of other religious corporations constituted according to the provisions of this chapter ; and the persons qualified as aforesaid, shall, in every year thereafter, on the day in Easter week so to be fixed for that purpose, elect such Church Wardens and Vestrymen, and whenever any vacancy shall happen before the stated annual election, by death or otherwise, the said Trustees shall appoint a time for holding an election to supply such vacancy, of which notice shall be given in the time of divine service, at least ten days previous thereto ; and such election, and also the stated annual elections shall be holden immediately after morning service, and at all such elections, the Rector, or if there be none, or he be absent, one of the Church Wardens or Vestrymen shall preside and receive the votes of the electors, and be the returning officer, and shall enter the proceedings in the book of the minutes of the vestry, and sign his name thereto, and offer the same to as many electors present as he shall think fit, to be by them also signed and certified ; and the Church Wardens and Vestrymen to be chosen at any of the said elections, shall hold their offices until the expiration of the year for which they shall be chosen, and until others be chosen in their stead, and shall have the power to call and induct a Rector to such Church or Congregation as often as there shall be a vacancy therein ; provided, however, that no meeting or board of such Trustees shall be held, unless at least three days notice thereof shall be given in writing, under the hand of the Rector or one of the Church Wardens ; and that no such board shall be competent to transact any business unless the Rector, if there be one, and at least one of the Church Wardens and a majority of the Vestrymen be present ; and such Rector, if there be one, and if not, then the Church Warden present, or if both the Church Wardens be present, then the Church Warden who shall be called to the Chair by a majority of voices, shall preside at every such meeting or board, and have the casting vote.

Shall be a body
 politic and cor-
 porate.

Term of Office.

When any Soci-
 ety shall com-
 ply with this
 act.

Sec. 25.—And be it further enacted that whenever any church or religious society now organized, or which may hereafter be organized as a Church or Congregation, but not incorporated in pursuance of law, shall comply with the provisions of chapter 36 of the Revised Statutes and the

amendments thereto, and thereby become a body corporate, according to the intent and meaning of the said chapter 36 and amendments, all the estate real and personal which shall have been lawfully conveyed to the said Church or Religious Society, or to the Trustees or Vestry thereof in trust for the use of such Church or Society, whether by devise, gift, grant, purchase or otherwise, and not lawfully disposed of, shall thereupon vest in said corporation as fully and amply as if the said Church had been legally incorporated from the date of its religious organization; provided, always, that the name or title publicly assumed and borne by such Church or Society from the date of its organization as such, and none other, shall be the title by which it shall forever be known in law and as a body politic and corporate.

Power to hold property.

AMENDMENT TO CHAPTER 22 OF LAWS OF 1853.

And be it further enacted, that section 1, chapter 22 of the general laws passed March 5, 1853, be and the same is hereby amended to read as follows:

An Act for the incorporation of Colleges, Seminaries, Churches, Lyceums, Libraries, and other Societies for benevolent, charitable, scientific and missionary purposes.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 2. That any three or more persons desirous of forming a corporation for a College, Seminary, Church, Lyceum, Library or any benevolent, charitable, scientific or missionary society, shall adopt articles certifying—

Shall adopt articles.

1st. The names of the persons concerned, and their having associated to form a body politic.

Names of Persons.

2nd. Their corporate name, and location or place of business.

Corporatename.

3rd. If a Joint Stock Company, the amount of capital stock and the amount constituting a share; if not a Joint Stock Company, then the terms of admission to membership.

Capital Stock, or terms of admission.

4th. What officers the Society or Company will have; by what officers business will be conducted, and when they are to be elected, or if appointed, when and by whom such appointment is to be made, and also the number of trustees to manage the said Society, and the names of the Trustees for the first year of its existence; which articles shall be subscribed and sworn to by them, or by their President and Secretary and a majority of such associates, before some officer authorized to take the acknowledgment of deeds, and filed and recorded in the office of the Register of Deeds of the County where such corporation shall exist, and a duplicate thereof shall be filed in the office of the Secretary of the Territory.

What Officers,—and how chosen.

Where such articles shall be filed.

CHARLES GARDNER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—March first, one thousand eight hundred and fifty-six.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER,

Secretary of Minnesota Territory.